



A new season has begun

The operating year began at Easter and the passenger numbers were noticeably up on the same period last year.

The 'Post Code' week was popular and again the income very pleasing (considering most of the tickets were free!). This is a very good opportunity to make contact with local residents and for them to see – and enjoy – what we are working at.

There are a number of special events coming up this year including:-

11th & 12th May – Members Weekend – 50% discount for members on tickets and one free return trip on the Lynton Cliff Railway; get your ticket at Woody Bay.

20th & 21st July – Rails and Dinosaur Scales – fun for children of all sizes.

28th & 29th September – Autumn Gala – more to come on this, note the dates in your diary.

Keep an eye on the website for other events & information.

Today

I write this having just got home after a busy day at Woody Bay, the last day of postcode week. We have had many local visitors, nearly 500 today. It is a pleasure to see so many people enjoying the railway and all it has to offer. This year the free tickets for locals was spread over a week rather than two days to spread the load, which worked well with the car park nearly full rather than overwhelmed for both weekends.

Since the last newsletter I have taken on the role of Managing Director of the CIC following the resignation of Malcolm Smith: he has a new role on the West Somerset Railway. I would like to thank him for his service over the last few years.

This year's first trains ran on Good Friday. To get the railway ready for the new season many volunteers and paid staff worked through the winter closed period. The list of jobs accomplished, often in challenging weather, was huge; without this winter work programme the railway could not open. Some of these jobs are far from glamorous and we should thank everyone involved. Volunteering at Woody Bay can be really enjoyable. Some of us go there week after week, some can do only odd days. We always need more volunteers so if you are interested, please get in touch. Lots of roles are available varying from odd days helping in car parks to learning to be a guard, fireman or driver.

I started volunteering in 2008, learning to be a guard and eventually qualifying as controller as well. Two people were heavily involved in my training, Jim Price, and Eddie Mills, both of whom have sadly died recently. I missed both of their funerals, unfortunately finding out about them only after they had happened. However, I was pleased to be volunteering at Woody Bay when Jim Price's family came to us for a memorial. Those who knew these two people will miss them; I certainly will. On the same day as Jim Price's memorial many Woody Bay volunteers attended the memorial for Chris Shields who will also be deeply missed.

Dave Blencowe

Winter Prize Draw 2023

The Winter Prize Draw has been another success. The tickets were drawn, the winners all contacted and prizes distributed. The winners are as follows:-

First Cliff Maddock
Second Paul Gander
Third Mark Yonge
Fourth 1 – S Fletcher
 2 – Pete Chandler
 3 – Michael Grace
 4 – K Towner

The gross income from the Draw including Gift Aid is just under £ 16,000. The cost of printing & postage and prizes still leaves a really useful sum. Thank you to all who took part.

You may like to know that every stamp on the envelopes has been saved and used in support of the RNIB. Many were most unusual and part of past special editions, some we certainly had never seen before. This may be the last time such a variety will arrive as the Post Office has now turned to issuing stamps with bar codes and earlier non-coded stamps will not be accepted. What a pity!

Congratulations to the winners and better luck next time for everyone else.

Peter & Brenda Miles

Woody Bay Engine Shed Planning approval confirmed

Members may be unaware that the engine shed at Woody Bay was originally constructed under a temporary planning approval in 2003 that lasted 10 years. The permission was renewed in 2013 for a further 10 years but when we approached the planning authority in 2023 to extend the permission further, we were advised that this time a permanent planning application would be required.

The planning application was approved in September 2023 but with a new condition attached limiting use of the shed to the operating times that apply to the railway (9.00am to 6.00pm). This clearly would have been unacceptable because it does not allow time for preparation and disposal of locomotives. There were no such limitations on the hours of use of the shed in the temporary permission under which the railway had operated for the past 20 years.

After discussion with the planning officer a further application was submitted to vary the time restriction to allow the shed to be used between 7.00am and 7.00pm. Objections were submitted by Parracombe and Martinhoe Parish Councils and by a number of local residents, which caused the planning officer to consider that it would be necessary for Exmoor National Park planning committee to determine the application. The variation of condition was finally unanimously approved by ENP committee on 5th March 2024. On behalf of the whole railway our thanks go to local member Ric Auger for his patience and tenacity in pursuing this matter to a successful conclusion.

Thanks from the Treasurer

Dear Members,

The beginning of April is the busiest time for the membership secretary and myself.

Many of you choose to pay your annual subscriptions by Direct Debit, which is becoming the most popular method of making payment. This year that number grew to over 825.

I am writing to you (collectively I'm afraid) to thank you on behalf of the railway for the extra monies that you chose to donate. Thanks are due too to those who make monthly donations and those who support by making

a donation when receiving their Winter Draw Tickets, and we must not forget those who have joined the 100 Club.

Without your choice to make these donations, the funds would not be there even to consider the continued revival of the L&B.

Being a registered charity enables us to claim gift aid on your behalf. This action of course depends on the Trust holding a gift aid mandate from you. So far this year the Trust, on your behalf, has claimed just under £14,000 from H M Charities.

By now you should have received a bright yellow envelope with all the paperwork for the AGM, to be held on May 11th. There are new trustees and directors to elect and it is vital that you take this opportunity to 'have your say' on who will be responsible for moving the L&B project forward in the future. Please do take the time to read the various reports, fill in the forms and post them back to Woody Bay – if you are not attending the AGM in person.

Which only leaves me to apologise for my generic email, but these days it really is the most efficient way of acknowledging the extra efforts you are all making to support YOUR railway.

Kind Regards,
Martin Swainson
Treasurer

Railway extension Killington Lane to Parracombe

To recap:

During 2022 the Trust submitted a Section 73 Planning Application seeking permission to construct the railway from Killington Lane to Wistlandpound in manageable stages. The original planning approval was due to expire in March 2023. The Trust agreed to withdraw the section 73 planning application in February 2023 over a difference of opinion in legal detail between the Trust's counsel and an objector's counsel. Notably, there were no unresolved technical matters but clearly there were local sensitivities over trains stopping and running round at Parracombe Churchtown. For this reason, the new proposal is to extend only as far as Cricket Field Lane which lies outside Parracombe conservation zone. In the option consultation undertaken during March 2023, 93% of votes cast by members supported staged reinstatement and development of the railway from Killington Lane to Wistlandpound.

Progress to date:

- The access road into Rowley Moor Farm is complete.
- Preparatory work to advance a planning application for extension of the railway from Killington Lane to Cricket Field Lane has started. This is a priority to enable Bridge 65 to be built, providing a breakout from Killington Lane.

Work to reinstate the line between Blackmoor Gate and Wistlandpound is of lower priority but is part of the overall plan, and this will be progressed gradually in collaboration with the Trust's subsidiary L&B Blackmoor Company plc, other affected parties and the authorities.

Planning Application

Pre-application advice from Exmoor National Park has confirmed that extension of the existing railway as far as Cricket Field Lane may be considered as a standalone project, rather than part of a larger development, for Environmental Impact Assessment. This is a very important principle and explains why an application to build Bridge 65 alone would not be supported. Bridge 65 clearly forms part of the larger scheme to extend to Cricket Field Lane and hence the planning decision would have to be made on the larger scheme. For a similar reason, an application to build a non-operational single track to Cricket Field Lane could not be supported without consideration of the environmental impact of the whole scheme between Killington Lane and Blackmoor. This would be a waste of time and money because environmental assessments are time-limited and would require a rolling programme of renewal until the whole scheme could be funded and built through to Blackmoor.

In addition to plans and sections of the railway, the planning application has to be supported by a range of technical reports:

- Planning and Access Statement
- Excavated Material Assessment (approximately 7000m³ of material will be excavated from the infilled cuttings).
- Landscape & Visual Impact Assessment
- Tree Survey and Arboriculture Method Statement
- Heritage Assessment
- Habitat Survey
- Biodiversity Net Gain (10% improvement in biodiversity is required)
- Ecological Impact Report
- Tourism Impact Assessment
- Noise and Vibration Assessment
- Carbon Reduction Plan (to demonstrate how the railway plans to be carbon-neutral in line with UK government policy and the ENP Local Plan).

Current work in progress

Biodiversity Net Gain: LUC are working on the Biodiversity Net Gain (BNG) calculation and report. Legislation concerning BNG was tightened in Feb 2024. It is now mandatory to achieve 10% BNG and to provide a Habitat Management Monitoring Plan that demonstrates how the gain will be maintained over the following 30 years. In addition, we are advised that a Tree Survey and an Arboriculture Method Statement is required. If this concludes that some trees may be adversely affected, a Bat Survey must be undertaken to demonstrate if new roosting habitat needs to be provided as a result of the works.

This is an example of how planning legislation is progressively tightening and posing additional challenges to the railway. Another example is carbon management. The planning submission has to demonstrate how the development will meet national and local carbon reduction targets. These requirements are not unique to this planning application but reflect changes in UK legislation that affects all new development.

Plans and sections: These have been further refined and were presented to a joint Trustee and CIC Board meeting at Moorlands on 20th April 2024 receiving unanimous support.

The new board of Trustees will be fully briefed on these proposals following the AGM. Subject to their agreement, consultants will be commissioned to complete the necessary work to submit the planning application this summer.

Proposal for Woody Bay carriage shelter

Now that full planning approval for the engine shed and miniature railway at Woody Bay is secure, attention can focus on options to provide a temporary shelter to protect our award-winning coaches until such time as the new works at Blackmoor are constructed. The board of Trustees has unanimously agreed to support this initiative.

The preferred location is at the headshunt just below the entrance to the station car park. This would allow four carriages to be easily stored under cover at the end of each working day as well as during the closed season. The shelter needs only to be marginally larger than the carriages to provide necessary protection from wind, rain and sunlight. This will minimise the visual impact. A topographical survey of the site was kindly undertaken by volunteer Aubrey Turner during the recent working weekend. This will enable draft plans and sections to be drawn up prior to engaging in pre-application advice with Exmoor National Park.

Sir George Newnes – restoration on track

The locomotive Sir George Newnes (formerly Charles Wytoc) is making good progress through the final stages of its restoration. The paintwork and lining looks splendid and it is planned that Sir George will be able to share the duties of hauling trains with Lyn from the mid-point of the 2024 season.

Axe to retire

Axe is coming up for its ten-year overhaul later this year. The plan is that it will work at the Remembrance Day event and then be taken out of service for work to commence. Much will be carried out on site and should lead to a return to service later in 2025.

Barnstaple Town Signal Box

Some news on the signal box restoration: the small and dedicated project team has started on repairing and sorting and drying / de-nailing / rubbing back the woodwork for the main structure. Malcolm Kitchen has been working on smaller parts and window frames. We have a new volunteer who has offered to make some more windows. Currently the 'box is under cover at Woody Bay. We have struggled with how and where best to restore the 'box with space being so tight at Woody Bay.

The team have found on a farm nearby some empty barn space. This is open one side with a large extent of undercover area with power, water and parking. Hopefully we could get use of the barn for a small monthly rent as it is a restoration project and not for profit. This would move the project forward, speeding up work and at the same time give us more space at Woody Bay.

With some money in the fund, it could be very positive news and keep the small group motivated. Donations are arriving and are very much appreciated.

A unique photo-charter at the Leighton Buzzard Railway

On Saturday 22nd June there will be a photo-charter with Peter Pan, Kerr Stuart No. 4256 - an 0-4-0 saddle tank - with freight haulage and two trains running for photo shoots plus other shed visits not normally available. The event starts at Pages Park Station at around 11.00am with a train from there to Stonehenge Works. Following the photo opportunities the train will return to Pages Park, overall about 4 hours.

Peter Pan of course worked for some years for Devon County Council at Parracombe and in 2005 became the first steam engine to head a passenger train out of Woody Bay since 1935 – so there is an L&B connection! Just 50 places available at only £22.00 each. Details from the L&B Railway Trust Surrey Support Group Secretary on 01737 357182 or email gstevens102@btinternet.com

Transport and Works Act Order (TWAO)

The TWAO was discussed in the Winter 2021/22 Magazine, but to refresh memories it may be worth summarising again. The Trust will ultimately require a TWAO to formalise its statutory powers and to enable it to take ownership of property currently in the care of Highways England Historical Railway Estate (HEHRE). A TWAO application is a major undertaking with considerable associated costs and risk, and so application will not be made until the appropriate time. A TWAO is not required to cross under public roads if planning approval for the necessary bridges has been granted with the approval of the Highway Authority.

Whilst the Railway does not own all of the trackbed from Parracombe to Blackmoor, Trust policy has always been to acquire land by negotiation. It is no secret that compulsory purchase powers could be included in a TWAO application but this would be an action of last resort. It is important to remember that such powers are not guaranteed and are granted only if the Secretary of State is convinced that they are justified.

Preparatory TWAO work was conducted between March 2019 and September 2022. However, following discussion with Winckworth Sherwood, our Parliamentary Agents, it became clear that this was premature because the Railway did not own sufficient land and did not have a sufficiently robust funding statement. The Board therefore unanimously agreed to suspend further work and expense until these matters are adequately resolved. Currently funds are much better invested by extending on land we already own and purchasing more land as it becomes available. This will strengthen the case for a TWAO when needed by demonstrating the Railway's ability to fund and deliver projects.

Further queries If you have any questions about the planning application or the TWAO please contact john.barton@lynton-rail.co.uk

CIC Shares

A good way to support the Railway is to purchase shares in the Community Interest Company. Receipts from share sales are committed to the development of the Railway and are currently used in support of the planned extension of the Railway.

Illustrated share certificates are issued to all shareholders with a shareholding of 100 or more shares, each with a nominal value of £1 (minimum purchase £100). Shares can be obtained by direct purchase or by subscription of £10 or more each month.

The benefits attached to share ownership are as follows:

100 – 199 shares:	2 free 'day rover' tickets per annum
200 – 499 shares:	4 free 'day rover' tickets per annum
500 – 999 shares:	8 free 'day rover' tickets per annum
1000 – 1999 shares:	Pass for unlimited free travel for 1 year for shareholder
2000 – 2999 shares:	As above for shareholder and one family guest
3000 plus shares:	As above for shareholder and up to three family guests

Free ticket entitlements are awarded against shareholdings at 31st December each year and can be claimed at Woody Bay Station from 1st February. Share application forms and direct debit mandate forms can be downloaded from the L&B website or forwarded by request to the Company Secretary, Brom Bromidge, 33 Cavie Road, Braunton, Devon EX33 1DX, or telephone Brom on 01271 814475.

Lynton & Barnstaple Railway Trust Minutes of Extraordinary General Meeting Held on Saturday 23 March 2024 at Lynton Town Hall, Devon

1. Introduction

The meeting was opened at 2.30pm by the Chairman Peter Miles who welcomed about 80 members. He explained that the meeting had been called reluctantly and emphasised the importance of everyone working together.

2. Resolution 1

Paul Davie raised a point of order alleging that all those on the stage except Mike Whiteaker had a conflict of interest. Toby Fenwick raised a further point of order concerning legal advice. Anne Belsey complained that Peter Miles had a conflict of interest – as did she – and it was agreed that Mike Whiteaker would chair the meeting for Resolutions 1 and 2.

Peter Leach commented that legal arguments would benefit only lawyers. Peter Vaughan argued that the conflict needed to be resolved, not shelved. Anne Belsey then defended her actions. David Moore pointed out that the Yeo Valley Trust leaflet produced by Anne had upset a number of local farmers.

3. Resolution 2

Chris Duffell in turn defended his actions.

4. Resolution 3: Updating the Trust's Articles of Association

Peter Miles resumed the chair. Andy Hearn wondered why this resolution had been put now and not at the forthcoming AGM. Rob Prosser offered to investigate electronic voting; Peter Leach urged caution because the law on that is changing.

The meeting adjourned at 4pm while tellers led by Brom Bromidge counted the votes in another room. The results were declared by Brom at 5.30pm:

Resolution 1: that Anne Belsey be removed from office as a director of the Company with immediate effect. Carried by 645 votes to 555 with 66 abstentions.

Resolution 2: that Chris Duffell be removed from office as a director of the Company with immediate effect. Carried by 645 votes to 563 with 58 abstentions.

Resolution 3: that with effect from the conclusion of the meeting the draft Articles of Association proposed be adopted as the Articles of Association of the Company in substitution for the existing Articles. Defeated by 617 votes to 596 with 51 abstentions.

The meeting then closed.

Motion to the AGM

A motion was presented to the Trust signed by two members. This was rejected. However, some further comment followed that perhaps the EGM (see above) had been incorrectly called. The Trust has been following advice from our lawyers Stephens Scown and the following extract explains the differences and the requirements for members to request a motion to be brought forward.

'The meeting was called in accordance with section 312(1) of the Companies Act 2006 pursuant to a special notice from members under section 168 of the Companies Act 2006 seeking the removal of two directors.

The resolution to remove the two directors was under section 168 of the Companies Act and followed the correct statutory process and as member directors you also had the ability to call a general meeting to move the resolutions.

If a member correctly put forward a resolution under section 168 of the Companies Act it could be successful. However, they would also need to requisition a general meeting which would need the support of at least 5% of the members.

As per my previous advice, the motion does not meet the statutory threshold of 5% of members to circulate a resolution or requisition a general meeting and as such should be rejected.'

Olivia Miller (she/her)
For and on behalf of Stephens Scown LLP

Tail Lamp

Hopefully the happenings of the past few months (years?) are now behind us all and we can move onward towards extending and improving the Lynton & Barnstaple Railway; that is why we are all here after all, isn't it? Thanks to all who are working so hard to bring this about. This year is looking quite exciting!